

REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated July 7, 2004 has been received and considered by the Applicants. Claims 1-10 are pending in the present application for invention. Claims 1-10 are rejected by the July 7, 2004 Office Action. New Claims 11-17 have been added by the foregoing amendment.

The Applicant hereby traverses the Examiner's taking of official notice that DVD-R and DVD-RAM are well known in the art within rejected Claims 5 and 10. Claims 5 and 10 define subject matter that includes the subject matter of the preceding claims. The subject matter so defined is contained within DVD Read Only specification is a complicated subject matter. The DVD Read Only specification is identified to provide a reference for the claimed subject matter. The Applicant respectfully requests that the Examiner produce prior art references that render obvious the recitation "a cell, video object, a playback sequence, a cell identification number, navigation data corresponds respectively to a Cell, a Video Object (VOB), a Program Chain (PGC), a Cell ID number and a Navigation Pack (NV-PCK) of the DVD Read Only Video Specification" contained in Claims 5 and 10.

The Office Action rejects Claims 1-10 under the provisions of 35 U.S.C. §103(a) as being unpatentable over U.S. patent No. 6,181,870 issued to Okada et al. (hereinafter referred to as Okada et al.) in view of U.S. Patent No. 6,112,009 issued to Kikuchi et al. (hereinafter referred to as Kikuchi et al.).

The Examiner states that Okada et al. disclose a recording method and apparatus for recording an encoded bit stream, representing a plurality of video objects constituting part of an MPEG2 Program Stream comprising a sequence of contiguously recorded cells, recording a playback sequence of cells that defines a playable program chain of cells, dividing at least one previously recorded cell into new cells and/or overwriting at least one previously recorded cell at least partly with a new cell, assigning the at least one new cell with a cell identification number, and recording a new playback as defined by Claims 1 and 6, except for the recoding navigation system. The Applicant respectfully disagrees.

Okada et al. uses the term cells to describe portions of audio/visual data that are marked within the Source AV File (see Figures 44A-44F and the related description on column 61, line 5-column 62, line 20). Rejected Claims 1 and 6 require that video objects be recorded as a sequence of contiguously recorded cells. There is no recording of video objects as a sequence of contiguously recorded cells within Okada et al. Additionally, Okada et al. do not disclose or suggest that the cells shown in Figures 44C and 44D have a unique cell identification number within the video objects that comprise the Source AV File.

Okada et al. teach that the cells are divided into last and first parts which are encode. The remaining parts of the cells are then merged (see Figures 45A-45E and the related description on column 62, line 46-column 63, line 64, line 8). Rejected Claims 1 and 6 define subject matter for dividing at least one previously recorded cell into new cells and/or overwriting at least one previously recorded cell at least partly with a new cell. Okada et al. do not disclose

The Examiner admits that Okada et al. fail to disclose a recording navigation data within said cells comprising cell identification numbers but that this subject matter is taught by Kikuchi et al. The Applicant, respectfully, points out that rejected Claims 1 and 6 define subject matter for “recording a new playback sequence of cells employing the at least one new cell, the new playback sequence not necessarily employing an incremental numbering of cell identification numbers”; which is not disclosed or suggested by Kikuchi et al. Therefore, this rejection is, respectfully, traversed.

The Examiner making the rejection with regard to Claims 2, 3, 7, and 8 states that Okada et al. disclose a method and apparatus characterized by assigning all video objects the same object identification number in Figures 6A-6C and on column 17, lines 9-20. The Applicants would like to, respectfully, point out that Okada et al. do not teach or suggest that the all video objects shown in Figures 6A-6C the same object identification number. Moreover, column 17, lines 9-20 of Okada et al. do not suggest or provide any motivation for a person skilled in the art to assign all video objects the same object identification number. Therefore, this rejection is, respectfully, traversed.

The Examiner in making the rejection with regard to Claims 4 and 9 states that Okada et al. disclose a method and apparatus wherein the updates a cell lapse time and a cell identification number. The Applicants would like to, respectfully, point out that the description related to Figure 71 of Okada et al. at column 71, line 12-column 80, line 67 clearly demonstrate

that Okada et al. refers to VOB identifiers and elapsed time for VOBs. The VOBs as defined by Okada et al. are composed of cells. Rejected Claims 4 and 9 define subject matter for the system updating cell elapsed time and cell identification number; which is not disclosed or suggested by Okada et al.

The Examiner in making the rejection with regard to Claims 5 and 10 states that Okada et al. disclose a recording method and apparatus wherein a cell, video object, a playback sequence, and cell identification number, corresponds respectively to a Cell, a Video Object (VOB), a Program Chain (PGC), a cell ID number and Navigation pack. The Applicants, respectfully points out that these all of item are not disclosed, or suggested, on Columns 4 and 5 of Okada et al. as asserted by the Examiner. Moreover, there is no mention of any of these items being for the DVD Read only Video Specification as defined by rejected Claims 5 and 10. Therefore, this rejection is respectfully, traversed.


The Examiner states that Okada et al. lacks disclosure that a cell, video object, a playback sequence, and cell identification number, corresponds respectively to a Cell, a Video Object (VOB), a Program Chain (PGC), a cell ID number; are of the DVD Read only Video Specification. Regarding Claims 5 and 10, the Examiner takes official notice that DVD-R and DVD-RAM are well known in the art and thereby seems obvious to utilize or gain from the work accomplished to apply advantages of the technologies together thereby applying the DVD-R specifications. The Applicant hereby traverses the Examiner's taking of official notice that DVD-R and DVD-RAM are well known in the art within rejected Claims 5 and 10. Claims 5 and 10 define subject matter that includes the subject matter of the preceding claims. The subject matter so defined is contained within DVD Read Only specification is a complicated subject matter. The DVD Read Only specification is identified to provide a reference for the claimed subject matter. The Applicant respectfully requests that the Examiner produce prior art references that render obvious the recitation "a cell, video object, a playback sequence, a cell identification number, navigation data corresponds respectively to a Cell, a Video Object (VOB), a Program Chain (PGC), a Cell ID number and a Navigation Pack (NV-PCK) of the DVD Read Only Video Specification" contained in Claims 5 and 10.

New Claims 11-17 have been added by the foregoing amendment that are of similar, but broader, scope as previously discussed Claims 1-10. New Claims 11-17 are believed to be allowable for the aforementioned reasons stated with respect to Claims 1-10.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

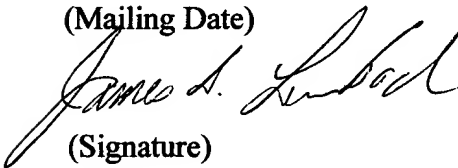
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: November 6, 2004

(Mailing Date)



(Signature)